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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,010	12/04/2003	Katsutoshi Takamura	F-8066	7254

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EXAMINER	
LAU, HOI CHING	

ART UNIT	PAPER NUMBER
2636	

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/728,010	TAKAMURA ET AL.	
	Examiner	Art Unit	
	Hoi C. Lau	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 December 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 - 6* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 - 6* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 6 have been examined.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1- 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takamura et al. (U.S. 6,174,070) in view of Takahashi (JP02000103391A),.

As to **Claim 1**, Takamura et al teach a sea rescue informing apparatus 211 (fig 4) comprising at least a rescue informing device 235 and an electric power source 225. Since the background mentions the instrument is used for helicopter rescue activity, it is notoriously well known that this include sea rescue (see column 2 lines 5-10). The rescue informing device has an illuminator 235, and the electric power source has a solar battery 246 and an electric charger 225 for supplying electricity to the rescue informing device. The rescue informing device and the electric power source are disposed in the sea rescue informing apparatus with light emission from the illuminator and the device freely operates by electricity supplied from the electric charger, the electric charger is charged by electric power sent from the solar battery. The only feature recited that is not shown is that a rescue signal generator is included.

Takahashi discloses a rescue device in which a transmitting antenna is used to transmit a rescue signal (see the solution).

It would have been obvious to combine the rescue signal of Takahashi with Takamura as this would provide specific location information to a remote monitoring device and allow rescuers easier access. This motivation is the same for all the claims below.

As to **Claim 2**, Takamura teaches a closed waterproof vessel for housing with a photo acceptance panel surface of the solar battery associates with the casing (see figure 4). The combination with Takahashi teaches that a communication antenna 6 can be added (see figure 1).

As to **Claim 3**, Takamura teaches the electric charger comprises one or more electric double-layer capacitors chargeable from the solar battery (See Figure 9 and column 7, lines 48 – 67 and column 8, lines 1- 14).

As to **Claim 4**, Takahashi teaches the signal generator includes position information obtained from a GPS positioning device (see Figure 2, 4, 5, 6 and Abstract).

3. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takamura et al. (U.S. 6,174,070) in view of Takahashi (JP02000103391A), in further view of Anglin, Jr. et al. (U.S. 6,069,557).

As to **Claim 5**, the combination above does not specifically disclose that the device is mounted in a lifeboat body. Anglin's system can be installed on a lifeboat (see Figure 21 and column 6, lines 56 - 57).

It would have been obvious to combine the teaching of Anglin with Takamura and Takahashi because one of ordinary skill in the art would have found advantageous to mount a rescue device on a boat so one could always alert rescue officials if necessary.

As to **Claim 6**, combination fails to show the solar cell of the solar battery is disposed on a suitable surface area of the boat body.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to locate the solar cell on a suitable surface area because the solar cell would absorb the solar energy more effectively. One of ordinary skill in the art would have found it obvious to place the solar cells any place conducive to collecting solar energy.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Beken (U.S. 6,552,652) teaches a rescue device with a GPS receiver, a computer, and vibration sensors. The device detects and distinguishes vibrations and sends a radio message to a satellite that relays messages to a monitoring facility indicating the type of vibration detected. Asama et al (U.S. 2001/0052842) shows a support system using a data carrier system by which an activity or a work operation by means of human beings and robots may be supported in a variety of environment. Orsino (U.S. 3,329,981) shows a signaling buoy having a water activated rechargeable battery, a signaling device and a solar reflecting means to intensify the light impinging on a solar generator means to recharge the battery.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoi C. Lau whose telephone number is (571)272-8547. The examiner can normally be reached on M- F 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (571)272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HCL

JEFFERY HOFSASS
SUPERVISORY PATENT EXAMINER
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